

SEP 29 2003

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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**CAUSE NO. A 03 CA 260 SS**

Plaintiff, Jane Doe, moves for an Order lifting the stay of proceedings in this matter. On July 22, 2003, this Court granted a stay of proceedings in this action pending the resolution of criminal charges against Defendant Sellers Bailey, III. The criminal proceedings against Defendant Bailey were concluded on September 12, 2003. Accordingly, Plaintiff moves that this Court enter an Order lifting the stay of proceedings in this matter. In addition to allowing the parties to proceed with discovery in this matter, pursuant to this Court's Order entered on September 12, 2003, an Order lifting the stay will trigger the deadline by which Defendants Faulkner and Van Slyke must file any motions asserting the defense of qualified immunity. Plaintiff's counsel has conferred with counsel for Defendants Larry R. Faulkner, Jeffrey Van Slyke, and Sellers Bailey, III, who do not oppose this motion.

Respectfully submitted,

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By: Signature on file with the U.S. District Clerk

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

By my signature above I, Robert W. Schmidt, certify that a true and correct copy of the above and foregoing document has been forwarded via First Class US Mail to the following on this 8<sup>th</sup> day of July, 2003:

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